



Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/608,713  
Filing Date: June 30, 2002  
First Named Inventor: Hideo AGO *et al.*  
Group Art Unit: 1631  
Examiner: Cheyne D. Ly  
Attorney Docket Number: 9299.0002  
Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 *Fed. Reg.* 14865 (March 20, 2000). *Off. Gaz. Pat. Office* 47 (April 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114:** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on \_\_\_\_\_.
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed:
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Petition for extension of time for ([number] Months) \$(Fee)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$770.00 us enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

**Signature of Applicant, Attorney, or Agent Required**

Name: Charles D. Niebylski  
Reg. No.: 46,116  
Signature:  Date: October 22, 2003

**Certificate of Mailing or Transmission**

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Name:

Signature:

Date:



PATENT  
Customer Number 22,852  
Attorney Docket No. 09299.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Hideo AGO *et al.* )  
Application No.: 09/608,713 ) Group Art Unit: 1631  
Filed: June 30, 2000 ) Examiner: Cheyne D. Ly  
For: HCV POLYMERASE SUITABLE )  
FOR CRYSTAL STRUCTURE )  
ANALYSIS AND METHOD FOR )  
USING THE ENZYME )

**Mail Stop – RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUBMISSION UNDER 37 C.F.R. § 1.114**

In reply to the final Office Action mailed July 22, 2003, Applicants file a Request for Continued Examination and submit the following amendments and arguments in accordance with the requirements of 37 C.F.R. § 1.114. This Request for Continued Examination and Submission Under 37 C.F.R. § 1.114 are due October 22, 2003, and are timely filed.

Amendments to the Specification begin on page 2 of this paper.

The Remarks begin on page 7 of this paper.

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